

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EUGENE DANIEL LUCAS,

Petitioner,

v.

COMMONWEALTH OF PENNSYLVANIA,

et al.,


Respondents.

CIVIL ACTION NO. 3:CV-12-2599
(JUDGE CAPUTO)
(MAGISTRATE JUDGE SCHWAB)

ORDER

NOW, this 28 day of January, 2013, upon review of the Report and Recommendation of Magistrate Judge Susan E. Schwab (Doc. 3) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report & Recommendation (Doc. 3) is **ADOPTED**.
- (2) The Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED** for lack of jurisdiction.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge